

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| In re REFCO INC. SECURITIES LITIGATION | : | Case No. 07-MD-1902(GEL) |
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This Document Relates to:

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| KENNETH M. KRYS and CHRISTOPHER STRIDE, | : | |
| as JOINT OFFICIAL LIQUIDATORS of SPHINX | : | |
| LTD., SPHINX STRATEGY FUND LTD.; | : | Case No. 08-cv-3065 |
| SPHINX PLUS SPC LTD., SPHINX DISTRESSED | : | |
| LTD., SPHINX MERGER ARBITRAGE LTD.; | : | Case No. 08-cv-3086 |
| SPHINX SPECIAL SITUATIONS LTD., SPHINX | : | |
| MACRO LTD.; SPHINX LONG/SHORT | : | |
| EQUITY LTD.; SPHINX MANAGED | : | |
| FUTURES LTD.; SPHINX EQUITY MARKET | : | PLAINTIFFS' DEMAND |
| NEUTRAL LTD.; SPHINX CONVERTIBLE | : | <u>FOR JURY TRIAL</u> |
| ARBITRAGE LTD.; SPHINX FIXED INCOME | : | |
| ARBITRAGE LTD.; SPHINX DISTRESSED | : | (Fed. R. Civ. P. 38) |
| FUND SPC; SPHINX MERGER ARBITRAGE FUND | : | |
| SPC; SPHINX SPECIAL SITUATIONS FUND SPC; | : | |
| SPHINX MACRO FUND SPC; SPHINX | : | |
| LONG/SHORT EQUITY FUND SPC; SPHINX | : | |
| MANAGED FUTURES FUND SPC; SPHINX | : | |
| EQUITY MARKET NEUTRAL FUND SPC; SPHINX | : | |
| CONVERTIBLE ARBITRAGE FUND SPC; SPHINX | : | |
| FIXED INCOME ARBITRAGE FUND SPC; | : | |
| PLUSFUNDS MANAGED ACCESS FUND SPC | : | |
| LTD.; KENNETH M. KRYS and CHRISTOPHER | : | |
| STRIDE as assignees of claims assigned by MIAMI | : | |
| CHILDREN'S HOSPITAL FOUNDATION, OFI, | : | |
| GREEN & SMITH INVESTMENT MANAGEMENT | : | |
| LLC, THALES FUND MANAGEMENT LLC, | : | |
| KELLNER DILEO & CO., LLC, MARTINGALE | : | |
| ASSET MANAGEMENT LP, LONGACRE FUND | : | |
| MANAGEMENT LLC, ARNHOLD & S. | : | |
| BLEICHROEDER ADVISERS LLC, PICTET & CIE, | : | |
| RGA AMERICA REINSURANCE COMPANY, | : | |
| DEUTSCHE BANK (SUISSE) SA, ARAB | : | |
| MONETARY FUND, HANSARD INTERNATIONAL | : | |
| LTD., CONCORDIA ADVISORS LLC, GABELLI | : | |
| SECURITIES, INC., CITCO GLOBAL CUSTODY; | : | |

and JAMES P. SINCLAIR as Trustee of the SPHINX
TRUST,

Plaintiffs,

-against-

CHRISTOPHER SUGRUE; MARK KAVANAGH;
BRIAN OWENS; PRICEWATERHOUSECOOPERS
L.L.P.; MARI FERRIS;
PRICEWATERHOUSECOOPERS CAYMAN
ISLANDS; GIBSON, DUNN & CRUTCHER LLP;
REFCO ALTERNATIVE INVESTMENTS LLC;
GRANT THORNTON LLP; MARK RAMLER;
ERNST & YOUNG U.S. LLP; MAYER BROWN LLP
f/k/a MAYER BROWN ROWE & MAW LLP;
JOSEPH COLLINS; EDWARD S. BEST; PAUL
KOURY; PHILLIP R. BENNETT; ROBERT C.
TROSTEN; TONE GRANT; SANTO MAGGIO;
THOMAS HACKL; DENNIS KLEJNA; BAWAG
P.S.K. BANK FUR ARBEIT UND WIRTSCHAFT
UND OSTERREICHISCHE POSTPARKASSE
AKTIENGESELLSCHAFT; JP MORGAN CHASE &
CO.; CREDIT SUISSE SECURITIES (USA) LLC f/k/a
CREDIT SUISSE FIRST BOSTON LLC; BANC OF
AMERICA SECURITIES LLC; THOMAS H. LEE
PARTNERS, L.P.; THOMAS H. LEE ADVISORS,
LLC; THL MANAGERS V, LLC; THL EQUITY
ADVISORS V, L.P.; THOMAS H. LEE EQUITY
FUND V, L.P.; THOMAS H. LEE PARALLEL FUND
V, L.P.; THOMAS H. LEE EQUITY (CAYMAN)
FUND V, L.P.; THOMAS H. LEE INVESTORS
LIMITED PARTNERSHIP; 1997 THOMAS H. LEE

NOMINEE TRUST; THOMAS H. LEE; DAVID V. :
HARKINS; SCOTT L. JAECKEL; SCOTT A. :
SCHOEN; WILLIAM T. PIGOTT; LIBERTY :
CORNER CAPITAL STRATEGIES, LLC; EMF :
FINANCIAL PRODUCTS LLC; EMF CORE FUND :
LTD.; DELTA FLYER FUND LLC; ERIC M. :
FLANAGAN; INGRAM MICRO, INC.; CIM :
VENTURES, INC.; BECKENHAM TRADING CO., :
INC.; ANDREW KRIEGER; COAST ASSET :
MANAGEMENT, LLC, f/k/a COAST ASSET :
MANAGEMENT LP; CS LAND MANAGEMENT :
LLC; CHRISTOPHER PETTIT; REFCO GROUP :
HOLDINGS, INC.; and REFCO ASSOCIATES, INC., :
: :
Defendants. :
: :
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Pursuant to Rule 38 of the Federal Rules of Civil Procedure, plaintiffs Kenneth M. Kryss and Christopher Stride as Joint Official Liquidators (the “JOLs”) of SPhinX, Ltd., SPhinX Macro Fund SPC, SPhinX Macro, Ltd., SPhinX Managed Futures Fund SPC, SPhinX Long/Short Equity Fund SPC, SPhinX Convertible Arbitrage Fund SPC, SPhinX Fixed Income Arbitrage Fund SPC, SPhinX Distressed Fund SPC, SPhinX Merger Arbitrage Fund SPC, SPhinX Special Situations Fund SPC, SPhinX Equity Market Neutral Fund SPC, SPhinX Strategy Fund, Ltd., SPhinX Plus SPC, Ltd., SPhinX Managed Futures, Ltd., SPhinX Long/Short Equity, Ltd., SPhinX Convertible Arbitrage, Ltd., SPhinX Fixed Income Arbitrage, Ltd., SPhinX Distressed, Ltd., SPhinX Merger Arbitrage, Ltd., SPhinX Special Situations, Ltd., SPhinX Equity Market Neutral, Ltd., and PlusFunds Managed Access Fund SPC, Ltd. (collectively, “SPhinX” or the “SPhinX Funds”), Kenneth M. Kryss and Christopher Stride as assignees of claims assigned by Miami Children’s Hospital Foundation, OFI, Green & Smith Investment Management LLC, Thales Fund Management LLC, Kellner Dileo & Co., LLC, Martingale Asset Management LP,

Longacre Fund Management LLC, Arnhold & S. Bleichroeder Advisers LLC, PicTet & Cie, RGA America Reinsurance Company, Deutsche Bank (Suisse) SA, Arab Monetary Fund, Hansard International Ltd., Concordia Advisors LLC, Gabelli Securities, Inc., Citco Global Custody (the “SPhinX investors”) and James P. Sinclair, as Trustee of the SPhinX Trust (the “Trustee”) created by the Fifth Amended Plan of Liquidation of PlusFunds Group, Inc., hereby demand trial by jury in this action of all issues, claims and causes of action triable by jury in the above-captioned matter.¹

Plaintiffs reserve the right to seek remand and/or abstention with respect to the claims and causes of action asserted in Plaintiffs’ complaint. Nothing contained herein shall be deemed a waiver of these rights.

Dated: April 4, 2008

Respectfully Submitted,

BROWN RUDNICK BERLACK ISRAELS LLP

By: /s/ David Molton
David Molton (DM-1106)
Andrew Dash (AD-7913)

7 Times Square
New York, New York 10036
Tel.: (212) 209-4800
Fax: (212) 209-4801
dmolton@brownrudnick.com
adash@brownrudnick.com

and

BEUS GILBERT PLLC
Leo Beus
Dennis Blackhurst

¹ The caption above references two civil action numbers – 08-cv-3065 and 08-cv-3086 – because separate notices of removal were filed by two groups of defendants.

4800 North Scottsdale Road
Suite 6000
Scottsdale, AZ 85251
Telephone: (480) 429-3000
Facsimile: (480) 429-3100
lbeus@beusgilbert.com
dblackhurst@beusgilbert.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2008, Plaintiffs' Demand for Jury Trial was served on all parties to this action via Federal Express, as listed below:

Robert B. McCaw, Esq.
Philip D. Anker, Esq.
John V.H. Pierce, Esq.
James Millar, Esq.
Jeremy S. Winer, Esq.
Ross E. Firszenbaum, Esq.
Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, New York 10022
Attorneys for Defendants JP Morgan Chase & Co.,
Credit Suisse Securities (USA) LLC (formerly
Credit Suisse First Boston LLC), and
Banc of America Securities LLC

David Mollon, Esq.
Winston & Strawn LLP
200 Park Avenue
New York, New York 10166
Attorneys for Defendants Grant Thornton LLP
and Mark Ramler

Thomas G. Ward, Esq.
Williams & Connolly LLP
725 12th Street, N.W.
Washington, D.C. 20005
Attorneys for Defendant Mayer Brown LLP

Joel M. Cohen, Esq.
Anthony M. Candido, Esq.
Clifford Chance US LLP
31 West 52nd Street
New York, New York 10019
Attorneys for the UK Limited Liability Partnership
Mayer Brown International LLP

Greg Danilow, Esq.
Michael F. Walsh, Esq.
Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, New York 10153-0119
Attorneys for Defendants Thomas H. Lee Partners L.P.,
Thomas H. Lee Advisors LLC, THL Managers V, LLC,
THL Equity Advisors V., L.P., Thomas H. Lee Equity
Fund V, L.P., Thomas H. Lee Parallel Fund V., L.P.,
Thomas H. Lee Equity (Cayman) Fund V., L.P.,
Thomas H. Lee Investors Limited Partnership,
1997 Thomas H. Lee Nominee Trust, Thomas H. Lee,
David V. Harkins, Scott A. Schoen, and Scott L. Jaeckel

James J. Capra, Esq.
Orrick, Herrington & Sutcliffe LLP
666 Fifth Avenue
New York, New York 10103-0001
Attorneys for Defendants
PricewaterhouseCoopers LLP and
Mari Ferris

Nicolle L. Jacoby, Esq.
Joel H. Levitin, Esq.
Juliet Sarkessian, Esq.
Brian H. Brick, Esq.
Dechert LLP
30 Rockefeller Plaza
New York, New York 10112
Attorneys for Defendants Bank für
Arbeit und Wirtschaft und
Österreichische Postsparkasse
Aktiengesellschaft

Christopher Sugrue
Av. Amilar Cabral No 110-2
Ed. Sonangol Distribuidora
Luanda
Angola

Mark Kavanagh
Ballyorney House
Waterfall Road
Enniskerry
County Wicklow, Ireland

Brian Owens
2 Beresford Green
Griffith Avenue
Dublin 9, Ireland

David W. Wiltenburg, Esq.
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, New York 10004
Counsel to Defendant PricewaterhouseCoopers
Cayman Islands

Mitchell A. Karlan, Esq.
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166-0193
Counsel to Defendant Gibson, Dunn & Crutcher LLP

Refco Alternative Investments LLC
c/o Refco Inc.
Att'n: David Golphus
1 Liberty Plaza
Suite 2379
New York, NY 10036

Christopher R. Harris, Esq.
Latham & Watkins LLP
885 Third Avenue
New York, New York 10022
Counsel to Defendant Ernst & Young U.S., LLP

Jonathan Paul Bach, Esq.
Cooley Godward Kronish LLP
1114 Avenue of the Americas
New York, New York 10036
Counsel to Defendant Joseph Collins

Edward S. Best, Esq.
Mayer Brown LLP
71 S. Wacker Drive
Chicago, Illinois 60606

Charles E. Clayman, Esq.
Clayman & Rosenberg
305 Madison Avenue, Suite 1301
New York, New York 10165
Counsel to Defendant Paul Koury

Jeffrey T. Golenbock, Esq.
Golenbock Eiseman Assor Bell &
Peskie LLP
437 Madison Avenue
New York, New York 10022-7302
Counsel to Defendants Phillip R. Bennett
and Refco Group Holdings Inc.

Barbara Moses, Esq.
Morvillo, Abramowitz, Grand, Iason,
Anello, & Bohrer, P.C.
565 Fifth Avenue
New York, New York 10017
Counsel to Defendant Robert C. Trosten

Melinda Sarafa, Esq.
Zuckerman Spaeder LLP
1540 Broadway, Suite 1604
New York, New York 10036
Counsel to Defendant Tone Grant

Scott E. Hershman, Esq.
Hunton & Williams LLP
200 Park Avenue
New York, New York 10166-0091
Counsel to Defendant Santo C. Maggio

Thomas Hackl
Acies Asset Management S.A.
118 Rue du Rhône
1204 Geneve Switzerland

Helen B. Kim, Esq.
Katten Muchin Rosenman LLP
2029 Century Park East
Suite 2600
Los Angeles, California 90067-3012
Counsel to Defendant Dennis Klejna

John D. Tortorella, Esq.
Marino Tortorella PC
437 Southern Boulevard
Chatham, New Jersey 07928
Counsel to Defendants Liberty Corner
Capital Strategies, LLC and William T. Pigott

Veronica E. Rendon, Esq.
Arnold & Porter LLP
399 Park Avenue
New York, New York 10022-4690
Counsel to Defendants Eric M. Flanagan,
EMF Financial Products, LLC
and Delta Flyer Fund, LLC

EMF Core Fund Ltd.
c/o Maples & Calder
PO Box 309, Ugland House
South Church Street, George Town
Grand Cayman KY1-1104
Cayman Islands

Peter C. John, Esq.
Williams Montgomery & John Ltd.
20 North Wacker Drive
Suite 2100
Chicago, Illinois 60606
Counsel to Defendants Ingram Micro Inc.
and CIM Ventures, Inc.

Aaron E. Albert, Esq.
Fischer Porter & Thomas, P.C.
440 Sylvan Avenue, Suite 130
Englewood Cliffs, New Jersey 07632-2700
Counsel to Defendants Beckenham Trading Co. Inc.
and Andrew Krieger

Joel A. Blanchet, Esq.
Kirkland & Ellis LLP
Citigroup Center 153 East 53rd Street
New York, New York 10022
Counsel to Defendants Coast Asset Management LLC
f/k/a Coast Asset Management LP
and CS Land Management, LLC

Ronald M. Lepinskas, Esq.
DLA Piper
203 North LaSalle Street, Suite 1900
Chicago, Illinois 60601-1293
Counsel to Defendant Christopher Petitt

Refco Associates, Inc.
c/o Refco Inc.
Att'n: David Golphus
1 Liberty Plaza
Suite 2379
New York, NY 10036

/s/ David J. Molton
David J. Molton